AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No. 10/018,441

REMARKS

Claims 1-53 are all the claims pending in the application.

I. Claim Rejections Section 112

Claim 4 stands rejected for including the term "mirrors" which is alleged to be indefinite. Applicants respectfully submit that the claim is not indefinite. However, in order to expedite prosecution, claim 4 has been amended to replace the term "mirrors" with the term "parallels." The term parallels is defined by the American Heritage Dictionary as: "to be or provide an equal for; match." Accordingly, Applicants respectfully submit that the claim definite.

II. Claim Rejections Section 103

Claims 1-28 and 30

The Examiner rejected claims 1-28 and 30 under 35 U.S.C. 103(a) as being allegedly unpatentable over Stewart et al. (U.S. patent No. 6,389,112) in view of Curtell et al. (U.S. patent No. 6,141,777). Applicants respectfully traverse this rejection in view of the amendment to the independent claims and also in view of the following arguments.

In order to expedite prosecution, the independent claims have been amended with two significant effects: (i.) the claims now more clearly define that the multimedia network enables at least audio and video transmission and (ii.) the claims now more clearly define the previously claimed internal, external, and service events.

The pending Office Action maintains that that Grabelsky teaches a video network. The term multimedia is now more clearly defined in the claims to exclude classical telephone networks as a type of multimedia network. Applicant further notes that the phone, video, and

complex elements of Figure 1 of Grabelsky are in loose combination and specifically not taught as a workstation. Instead they are explicitly taught as "devices accessing the network" (col. 4 line 31) used in "other applications" (col. 4 lines 30-34), without any association among them. Thus Grabelsky does not teach anything resembling collaborative multimedia workstation as defined in the pending claims.

Additionally, the Grabelsky system is explicitly directed strictly to the monitoring of packet traffic network performance (Col. 4 lines 11-18). There are no server events, no call events, etc., as required in the present claims. Rather, there is a specific directive to the specific monitoring of "sender reports" and "receiver reports" that simply characterize packet delivery conditions (Col. 6 lines 6-11) and little if anything more. In complete contrast, Stewart has no packet network and neither does Curtel. Rather, the Stewart and Curtel systems are, respectively, circuit-switched and leased line circuit networks. There are no packets and thus no packet records. The types of events, the manner in which they are recorded, and the way the reported information is gathered and disseminated is completely different (see, e.g., col. 6 lines 51-54, col. 6 lines 64-67, col. 8 lines 56-67, etc.). Accordingly, the Grabelsky reference is absolutely not combinable with either of the Stewart or Curtell systems as everything about these is entirely incompatible or entirely unrelated.

The pending Office Action maintains that Curtnell teaches user specified report generating as claimed in the Application. Applicant respectfully submits that such is not the case. Rather, Curtell teaches a system in which a user can specify event to be thereafter recorded. In contrast, Applicants present invention as defined by the pending claims pertains to

system for generating user's custom reports from previously recorded data, which was stored in the database prior to the user's report request. That is, Curtell's system requires the user to specify events to be gathered before they occur (rather than generate a user specified report based on events that have already occurred in the past). Accordingly, the Examiner's statement (page 2 of pending OA) that reliance on Curtell provided an example of a system that would "quickly and correctly access relevant information" is thus incorrect. For example, forensics on previously failed calls is completely impossible in the Curtell System, but is enabled by the claimed invention.

Regarding claim 42, the Examiner maintains that Stewart teaches web-based report generation system in Col. 14 lines 49-53. However, Applicants fail to find any such disclosure in the cited passage. If the Examiner maintains this position, Applicants respectfully request the Examiner to specify how the cited passage discloses the claimed limitation.

Applicants also resubmit the remarks submitted in response to the previous Office Action for the Examiner's reconsideration in view of the present amendments and the comments provided above. With respect to the combination of Stewart and Curtell suggested by the Examiner, Applicants respectfully note that these two references are not properly combinable, because they have fundamental differences, and in fact teach away from each other in several ways. First, Stewart pertains to event data gathered by switches serving switched telephone calls (as the Examiner indicates in page 4 of the Office Action), while the system of Curtell, in contrast, reports "...only events which are germane to the particular package of leased services." (Curtell 2:18-19). As it is well known to one skilled in the art, leased services are unswitched

communication services and involve the technology that provides no implementation of a telecommunications "call." Also, as it is well known to one skilled in the art, switched calls and leased services (which are unswitched, without call implementation) are absolutely mutually exclusive concepts. Therefore, even at the most general level, the Stewart and Curtell systems pertain to very different and incompatible technologies.

At a more detailed level, the Examiner asserts that "Curtell teaches a telecommunications reporting service that receives parameters specifying data to report to a user." However, the features of the Curtell system completely differentiate it from the system of Stewart. Specifically, the monitored events in Stewart are switch- and call-oriented, while those in Curtell are explicitly leased-line services, and hence not switch- and call-oriented. Furthermore, the types of events recorded in Stewart are fixed and prescribed, while those in Curtell are only recorded if the user instructs the system to do so. That is, in Stewart "all" events are recorded and may be filtered by the user after the recording, while in Curtell events are filtered before they are recorded. As a result in Curtell, the user cannot obtain reports requiring information that was not pre-specified in advance. Finally, the teaching of Stewart involves information gathering only via downloading tables of collected events provided by network switches. On the other hand, Curtell gathers information from Network Carrier "network management systems" (3:2-3:9).

Thus, because in the systems of Stewart and Curtell the information sources are different, recorded events are different, event recording/filtering order is different, and types of data recorded are mutually exclusive, these systems teach away from one another and simply cannot

be combined. Therefore, Applicant respectfully submits that Stewart cannot be properly combined with Curtell.

Further, with respect to claim 1, the Examiner asserts that "Stewart does not teach that the reports are generated based on a query parameter sent from a the user, However, tailoring similar reports based on user specification was well known in the art, as evidenced by Curtell" and "Curtell teaches a telecommunications reporting service that receives parameters specifying data to report to a user." Applicant respectfully maintains the Examiner's position is incorrect. In particular, in Stewart, "all" events are recorded and may be filtered by the user after the recording, while in the aspects of Curtell the Examiner cites, events are filtered before they are recorded. Unspecified events are never recorded in Curtell, and are not included based on omission from the recording process. This differs from events being included or omitted (from a report) by the actions of a reporting module as required by claim 1. Curtell teaches that the report is customized by the selecting the material to be presented for recording by the user workstation (2:7-2:22). Thus, in Curtell, events are filtered first, recorded by the workstation second, and created as a report by the workstation third. (There is no reporting module responsive to actions of the user after the data has been recorded, as required by the current claim.) In the present claim, on the other hand, events are recorded first by a database, and presented to the user by reporting module responsive to actions of the user after the data has been recorded.

For these reasons, Applicant maintains the attempt to combine of Stewart and Curtell fails, and further does not cover the structure of the invention recited in claim 1. The Examiner's rejection is thus respectfully traversed, and Applicants maintain Claim 1 is allowable.

Additionally, Examiner asserts that the "...collaboration reporting system could be considered a multimedia collaboration reporting system because voice communication is a form of multimedia collaboration." Applicant respectfully maintains the Examiner's position is incorrect. In the claim and specification, 'multimedia collaboration reporting system' pertains to recording and reporting system for a multimedia collaboration system network. As the Examiner would undoubtedly appreciate, multimedia networks are networks providing multimedia communications, for example involving a plurality ("multimedia") of media ("multimedia") types, that is, supporting two or more from the list of audio, video, text, graphics, telepointers, annotations, etc.

The voice networks of Stewart and Curtell are, in contrast, "single-media networks," and exactly the very types of technologies that the term "multimedia networks" was coined to differentiate away from. Although a multimedia network can carry a single media, a single-media network cannot carry multimedia information. Thus a single-media network simply cannot be construed a multimedia network. Therefore, Applicant respectfully submits that independent claims are additionally patentable because nether Stewart nor Curtell teach or suggest the "multimedia networks," specifically recited in claim 1.

Further, the Examiner lists elements of claim 1, which the Examiner alleges are described in Stewart. Applicant respectfully disagrees with Examiner's purported identifications of the

elements of claim 1 in Stewart. Specifically, the Examiner states that Stewart teaches "an event monitoring module for monitoring internal network system events, external network system events, and service events," citing column 6 lines 34-44 and Table1 of Stewart. By way of clarification, Applicants note that the claimed element in fact reads "internal network events" rather than "internet network events."

Applicants respectfully disagree with the Examiner's assertion that the aforesaid "event monitoring module for monitoring internal network system events, external network system events, and service events" is disclosed in Stewart. As seen in Figure 1, and called out explicitly in the TECHNICAL FIELD section (1:11-14: "... and, more particularly, to a method and apparatus for internet accessible, on-line monitoring of a telecommunication network on a network or switch basis"), and further positioned in column 1 line 17 through column 3 line 6, the Stewart system only addresses the affairs of a single telecommunication network (Figure 1 element 10). This network 10 is connected with local exchange networks 18, 20 but the entries in Table 1 (as well as those in the DMS-100 office engineering tables at the bottom of column 6) pertain only to internal network system events. Examiner cites Private LAN 23 as a viewpoint for decreeing the events of the Stewart network 10 as "external network events." However, Examiner also considers the events of Stewart network 10 as internal network events. The Examiner's position appears to be self-contradictory because in Stewart, all recorded events occur within Stewart network 10, while the purpose of Private LAN 23 is for the reporting of the recorded events which occur within Stewart network 10. Thus, the Examiner cannot state that

Private LAN 23 views the events within Stewart network 10 as both internal network events and external network events.

In fact, nowhere does Stewart teach the existence, the handling, the recording, or the reporting of external network events as specifically required by claim 1. This fact alone overcomes the Examiner's rejection of claim 1. In addition, the Examiner failed to point to specific portions of Stewart, which disclose the event monitoring module recited in claim 1. Applicants respectfully submit that for all the foregoing reasons, claim 1 is patentable.

With respect to Examiner's rejection of claims 2-28 and 30, Applicants respectfully submit that Examiner's rejection of these claims is rendered moot by the present amendment of the parent claim 1 and that these claims are patentable at least due to their dependence on the patentable amended independent claim 1.

Claim 29

The Examiner rejected claim 29 under 35 U.S.C. 103(a) as being allegedly unpatentable over Stewart et al. (U.S. patent No. 6,389,112) in view of Curtell et al. (U.S. patent No. 6,141,777) and further in view of Ditmer et al. (U.S. patent No. 6,490,620). Applicants respectfully traverse this rejection and respectfully submit that the rejection of this claim is rendered moot by the present amendment of the parent claim 1 and that this claim is patentable at least due to its dependence on the patentable amended independent claim 1.

Claims 31-39 and 41

The Examiner rejected claims 31-39 and 41 under 35 U.S.C. 103(a) as being allegedly unpatentable over Stewart et al. (U.S. patent No. 6,389,112) in view of Grabelsky et al. (U.S.

patent No. 6,678,250). Applicants respectfully traverse this rejection in view of the amendment to independent claim 31 and also in view of the following arguments.

In the Office Action, the Examiner appears to admit that "Stewart does not teach that participants have workstations for displaying visual images and A/V capture and reproduction capabilities for capturing and reproducing video images and spoken audio of the participants." Examiner cites Grabelsky, as allegedly teaching a communications network adapted to provide video conferencing wherein a plurality of workstations each have a monitor for displaying visual images and A/V capture and reproduction capabilities for capturing and reproducing video images of the participants." However, as shown in Figure 1 of Grabelsky, the depicted clusters phones, cameras, monitors, personal computers, etc. around gateways (20-23) are not elemental components of a workstation but rather varieties of isolated equipment scattered over a collection of endpoints; see Grabelsky, 4:30-4:34. There is no teaching of a workstation. Additionally, as explained in Applicants' response to the Office Action of March 16, 2005, filed on September 14, 2005, Grabelsky teaches a packet network which is an entirely different technology that the circuit-switched telephony network of Stewart. Thus there is not only a lacking of teaching as to a video-enabled workstation in Grabelsky, there additionally is no teaching of any video in a context applicable to the network of Stewart. Further, video is simply mentioned in Grabelsky – the teaching is limited to element 17 in Figure 1 and a listed item in 4:34. Thus the Examiner's sweeping proclamation that "Given the teachings of Grabelsky, it would have been obvious to one of ordinary skill in the art to provide the participants with workstations for displaying visual images, thereby satisfying the needs of multimedia conferences" is inaccurate. There is no

applicable teaching by Grabelsky, and nothing is made obvious. This reasoning failing, Applicant maintains that Claim 31 is allowable.

Further, as with claim 1, Applicants respectfully disagree with Examiner's purported identifications of various elements of claim 31 in Stewart. Specifically, the Examiner states that Stewart teaches "a data network providing a data path along which data can be shared among a plurality of the participants (Figure 1, network 10)." Applicants respectfully disagree. Stewart's Figure 1 shows data communications among network switches 12a-12e. In the specification and the associated disclosure "participants" are human end users located at endpoint workstations, and not internal network entities. The data communications among switches is only for communicating network information, not data among end user endpoints. Further, Stewart's network switches 12a-12e comprise neither human end users nor endpoint workstations. For this reason, the Examiner's purported identification of the aforesaid claim element is incorrect.

Examiner further states that Stewart teaches "a data conference manager for managing the sharing of data between the plurality of workstations (as shown in Figure 1, any switch 12)." However, data conferencing is a well known class of user application that allows users of desktop and laptop computers to share visual data as would be found in spreadsheets, presentation slides, etc. Such software does not run on switches, and there is no manager of the data conferencing that runs on switches. Examiner appears to have confused "data conferencing" with basic data networking. This, too, alone will traverse the Examiner's objection to the claim.

With respect to Examiner's rejection of claims 32-39 and 41, Applicants respectfully submits that Examiner's rejection of these claims is rendered moot by the present amendment of

the parent claim 31 and that these claims are patentable at least due to their dependence on the patentable amended independent claims 31.

Claim 40

The Examiner rejected claim 40 under 35 U.S.C. 103(a) as being allegedly unpatentable over Stewart et al. (U.S. patent No. 6,389,112) in view of Curtell et al. (U.S. patent No. 6,141,777) and further in view of Ditmer et al. (U.S. patent No. 6,490,620). Applicants respectfully traverse this rejection and respectfully submit that this claim is patentable at least due to its dependence on the patentable amended independent claim 31.

Claim 42

The Examiner rejected claim 42 under 35 U.S.C. 103(a) as being allegedly unpatentable over Stewart et al. (U.S. patent No. 6,389,112) in view of Grabelsky et al. (U.S. patent No. 6,678,250) and further in view of Curtell et al. (U.S. patent No. 6,141,777). Applicant respectfully traverses this rejection in view of the following arguments.

First, Applicant respectfully disagrees with Examiner's purported identification of various elements of claim 42 in Stewart. Specifically, the Examiner states that Stewart teaches "a multimedia collaboration system for conducting a conference among a plurality of participants (figure 1)." Applicant disagrees. As argued regarding Claim 1, Stewart does not teach a multimedia network nor anything that could be construed as a multimedia network.

Second, as was argued in connection with claim 31, Stewart fails to teach "a data network providing a data path along which data can be shared among a plurality of participants (Figure 1, network 10)."

Additionally, Examiner admits "Stewart does not teach that participants have workstations for displaying visual images and A/V capture and reproduction capabilities for capturing and reproducing video images and spoken audio of the participants." Examiner cites Grabelsky, claiming teaching of a communications network adapted to provided video conferencing wherein a plurality of workstations each have a monitor for displaying visual images and A/V capture and reproduction capabilities for capturing and reproducing video images of the participants." However, as shown in Figure 1 of Grabelsky, the depicted clusters phones, cameras, monitors, personal computers, etc. around gateways (20-23) are not elements of a workstation but rather varieties of isolated equipment scattered over a collection of endpoints; see 4:30-4:34. There is no teaching of a workstation. Additionally, as explained in our September 14, 2005 response to the March 16, 2005 office action, Grabelsky teaches a packet network which is an entirely different technology that the circuit-switched telephony network of Stewart. Thus there is not only a lacking of teaching as to a video-enabled workstation in Grabelsky, there additionally is no teaching of any video in a context applicable to the network of Stewart. Further, video is simply mentioned in Grabelsky – the teaching is limited to element 17 in Figure 1 and a listed item in 4:34. Thus the Examiner's sweeping proclamation that "Given the teachings of Grabelsky, it would have been obvious to one of ordinary skill in the art to provide the participants with workstations for displaying visual images, thereby satisfying the needs of multimedia conferences" is inaccurate. There is no applicable teaching by Grabelsky, and nothing is made obvious. This reasoning failing, Applicants maintain that claim 42 is allowable.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No. 10/018,441

Claims 43-49 and 51

The Examiner rejected claims 43-49 and 51 under 35 U.S.C. 103(a) as being allegedly unpatentable over Stewart et al. (U.S. patent No. 6,389,112) in view of Curtell et al. (U.S. patent No. 6,141,777). Applicants respectfully traverse this rejection in view of the following arguments.

First, with respect to claim 43, the Examiner states that Stewart teaches "a multimedia collaboration system for conducting a conference among a plurality of participants (Figure 1)." Applicants disagree. As argued regarding Claim 1, Stewart does not teach a multimedia network nor anything that could be construed as a multimedia network.

Second, as was argued in connection with claim 31 and 42, Stewart fails to teach "a data network providing a data path along which data can be shared among a plurality of participants (Figure 1, network 10)."

Third, as was argued in connection with claim 1, Stewart fails to teach or suggest the "an event monitoring module for monitoring internal network system events, external network system events, and service events."

Finally, as argued with respect to claim 1, Applicants again respectfully submit that Stewart and Curtell cannot be combined, and further the aforesaid combination does not cover the structure of the claimed invention. Therefore, Applicants maintain that claim 43 is allowable.

With respect to the Examiner's rejection of claim 44, Applicants respectfully disagree with Examiner's purported identifications of various elements of this claim in Stewart. Specifically, as stated above in connection with claim 1, Stewart fails to teach or suggest the

"network control system configured to monitor event information, said event information comprising internal network system events, external network system events, and service events."

Further, the Examiner asserts Curtell teaches a telecommunications reporting service that receives parameters specifying data to report to a user" (page 18). As argued with respect to claim 1, Applicants again respectfully submit that Stewart and Curtell cannot be combined, and further does not cover the structure of the claimed invention. Therefore, Applicants maintain that Claim 44 is allowable.

Additionally, as with Claim 1, Examiner asserts the "...collaboration reporting system could be considered a multimedia collaboration reporting system because voice communication is a form of multimedia collaboration." As explained in the material relating to Claim 1, Applicant respectfully maintains the Examiner's position is incorrect. As argued there, the voice networks of Stewart and Curtell are "single-media networks." Although a multimedia network can carry a single media, a single-media network cannot carry multimedia information. A single-media network simply cannot be construed a multimedia network. Therefore, claim 44 is patentable for this additional reason as well.

With respect to Examiner's rejection of claims 45-49 and 51, Applicants respectfully submits that these claims are patentable at least due to their dependence on the patentable amended independent claim 44.

Claim 50

The Examiner rejected claim 50 under 35 U.S.C. 103(a) as being allegedly unpatentable over Stewart et al. (U.S. patent No. 6,389,112) in view of Curtell et al. (U.S. patent No.

6,141,777) and further in view of Ditmer et al. (U.S. patent No. 6,490,620). Applicants respectfully traverse this rejection and respectfully submit that this claim is patentable at least due to its dependence on the patentable amended independent claim 49.

Claims 52 and 53

The Examiner rejected claims 52 and 53 under 35 U.S.C. 103(a) as being allegedly unpatentable over Stewart et al. (U.S. patent No. 6,389,112) in view of Curtell et al. (U.S. patent No. 6,141,777). Applicants respectfully traverse this rejection in view of the following arguments.

First, as with claims 1, 31 and 42, 43 and 44, Applicants respectfully disagree with the Examiner's purported identification of various elements of claim 52 in Stewart. Specifically, in the Office Action, the Examiner alleges that Stewart teaches "an event monitoring module for monitoring internal network system events, external network system events, and service events," citing 6:34-44 and Table 1 of Stewart. The reasons the Examiner's identification of elements is believed to be improper have been stated in detail above in connection with claim 1. These reasons are believed to be fully applicable to claim 52 as well.

Further, Examiner asserts Curtell teaches a telecommunications reporting service that "receives parameters specifying data to report to a user" (page 18). As explained in detail with respect to claim 1, Applicant again respectfully submits that Stewart and Curtell cannot be combined, and that the combination does not cover the structure of the claimed invention. The Examiner's rejection of claims thus being traversed, Applicant maintains that Claim 52 is allowable.

Additionally, as with claims 1 and claim 44, the Examiner asserts the "... collaboration reporting system could be considered a multimedia collaboration reporting system because voice communication is a form of multimedia collaboration." As explained above in the portion of this response relating to Claim 1, Applicant respectfully maintains the Examiner's position is incorrect. As argued hereinabove, the voice networks of Stewart and Curtell are "single-media networks." Although a multimedia network can carry a single media, a single-media network cannot carry multimedia information. A single-media network simply cannot be construed a multimedia network. For all the foregoing reasons, Applicant respectfully submits that claim 52 is patentable.

With respect to Examiner's rejection of claim 53, Applicants respectfully submit that this claim is patentable at least due to its dependence on the patentable amended independent claim 52.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880.

Atty. Docket No. CA1149
PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No. 10/018,441

Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

Joseph Bach
Registration No. 37,771

SUGHRUE MION, PLLC
Telephone: (650) 625-8100
Facsimile: (650) 625-8110
MOUNTAIN VIEW OFFICE
23493
CUSTOMER NUMBER

Date: October 30, 2006

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this AMENDMENT UNDER 37 C.F.R. § 1.114(c) is being facsimile transmitted to the U.S. Patent and Trademark Office this 30th day of October, 2006.

Monica Moreno